

1 DELEGATE WHEATLEY: Mr. Chairman, if I might
2 add to the comment made by Delegate Clarke, the testimony
3 before the committee was that National Guard, as such,
4 constitutes organized militia and therefore would be a
5 part of the whole. I think this might clear up the
6 problem raised. This would include in my interpretation
7 National Guard since the National Guard would be a smaller
8 part of the whole. The qualifying language would be
9 actual service which would mean the vast body of militia
10 might be National Guard or other members of the militia
11 then in actual service.

12 This, incidentally, I think, is one of the most
13 troublesome areas of the whole law because of the use of
14 words with very particular meanings, "active duty" and
15 "actual service," and therefore we try to use the
16 broadest language, "actual service" rather than "active
17 duty." I think this amendment would include National
18 Guard since National Guard has been defined as the organized
19 militia.

20 THE CHAIRMAN: Any further discussion? The
21 Chair wants to direct an inquiry to Delegate Boyer, the